

Message Text

SECRET

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ACTION NODS-00

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E.O.11652: XGDS-1
TAGS: MASS, IS, US, LE, MOPS
SUBJ: CLUSTER BOMB UNITS (CBU); RESTRICTIONS ON USE

REF: (A. STATE 085783, (B) STATE 088771

1. DURING MY APRIL 6 MEETING WITH MOD WEIZMAN AT WHICH WE REVIEWED THE GENERAL SITUATION IN LEBANON AND ISRAELI WITHDRAWAL PLANS, (SEPTTEL) I REMINDED WEIZMAN THAT HE OWED ME AN ANSWER CONCERNING THE POSSIBLE USE OF CBU'S BY THE ISRAELI AIR FORCE DURING THE ATTACK ON SOUTHERN LEBANON. GENERAL GUR WAS ALSO PRESENT AND WEIZMAN IMMEDIATELY PUT THE BALL IN HIS COURT AND HAD HIM ANSWER.

2. GUR STARTED BY REVIEWING PAST HISTORY, SAYING THE IDF USED CBU'S THREE YEARS AGO AGAINST SOME "SURE" PLO TARGETS. HE WENT ON TO SAY THAT THIS TIME, MARCH 1978, 90 PERCENT OF THE CBU(S USED WERE DIRECTED AGAINST ARTILLERY DISPOSITIONS. HE CLAIMED THERE WERE INITIALLY 27 PALESTINIAN ARTILLERY PIECES IN SOUTHERN LEBANON AND THAT MORE HAD BEEN ADDED LATER. IDF AIRCRAFT WERE SENT ON "ARTILLERY HUNTER" MISSIONS ARMED WITH CBU'S AND STRUCK THE GUNS WHEN THEY WERE LOCATED. THE OTHER TEN PERCENT OF THE CBU'S WERE USED AGAINST FIELD STRONG HOLDS OF THE PALESTINIANS -- "SURELY AND PURELY OCCUPIED BY THE
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PLO."

3. WEIZMAN BROKE INTO THE CONVERSATION AT THIS TIME TO SAY THAT THE IDF HAD INDEED USED THE CBU'S IN MARCH 1978. HOWEVER, HE WENT ON TO SAY THAT HE DID NOT KNOW OF THE 16 DEC 76 AGREEMENT PRIOR TO MY BRINGING IT TO HIS ATTENTION. GUR REENTERED THE CONVERSATION VERY QUICKLY

TO STATE "I DID KNOW OF THE AGREEMENT AND I DO NOT FEEL THAT THE USE OF THE CBU'S WAS IN DISAGREEMENT WITH THE AGREEMENT."

4. AT THIS POINT I READ THE RELEVANT PARAGRAPH OF THE DINITZ/MCCOLLOUGH LETTER AND TOLD HIM THAT OBVIOUSLY THE CONDITIONS ESTABLISHED BY THAT LETTER HAD NOT BEEN MET AND, THEREFORE, THE USE OF CBU'S WAS IN VIOLATION OF THE AGREEMENT. GUR REPEATED THAT HE HAD USED THE BOMBS BECAUSE OF THE SCALE OF OPERATIONS INVOLVED AND THAT HE HAD NOT HESITATED IN THEIR USE.

5. WEIZMAN SAID THAT THIS WAS "THE CHIEF OF STAFF IN UNIFORM TALKING" AND THAT HE WOULD GIVE IMMEDIATE ASSURANCES TO ME THAT, IF THERE IS A NEXT TIME, HE "WOULD HESITATE USING THE CBU'S IN LIGHT OF THE DINITZ/MCCOLLOUGH LETTER." I SAID THAT WAS NOT GOOD ENOUGH AND AGAIN REMINDED HIM OF THE REQUIREMENTS OF THAT LETTER; I.E., THAT CBU'S MAY BE USED ONLY IF ISRAEL IS ENGAGED IN ACTIVE GENERAL HOSTILITIES WITH THE REGULAR ARMED FORCES OF ONE OR MORE ARAB STATES AT A LEVEL OF ARMED CONFLICT ON THE SCALE EXPERIENCED IN JUNE 1967 AND OCTOBER 1973. I INSISTED THAT IF THE OCCASION AROSE AGAIN (SIMILAR TO MARCH 78) IT WOULD BE NECESSARY FOR WEIZMAN TO USE HIS VETO SO AS NOT TO PERMIT THE USE OF CBU'S. WEIZMAN GRUDGINGLY
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ACKNOWLEDGED MY POINT.

6. COMMENT: UNFORTUNATELY I CANNOT GIVE THE ASSURANCES ANTICIPATED BY REFTEL. THE IDF DID INDEED USE CBU'S AND IT WAS A DELIBERATE, CALCULATED USE, REGARDLESS OF THE RESTRICTIONS PREVIOUSLY PLACED ON THEM. REF B, WHICH ASKS FOR MORE SPECIFIC INFORMATION, WAS RECEIVED AFTER THE MEETING. ARMA HAS REQUESTED IDF PROVIDE THE ADDITIONAL INFORMATION ON AN URGENT BASIS.
LEWIS

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